R.BASANT, J

Crl.M.C.No.916 of 2007

Dated this the 26th day of March, 2007

ORDER

The learned counsel for the petitioners prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that in the light of the decision in **State of Kerala and Others v. Unni and another** [2007(1) KLJ (S.C) 97], this prosecution in which the only allegation is that the percentage of Ethyl Alcohol in toddy exceeds the permissible figure cannot be sustained. This Crl.M.C is, in these circumstances, allowed. All proceedings in pursuance of C.R. No.44 of 2005 of Excise Range Office, Chirayinkeezhu, Thiruvananthapuram against the petitioners are hereby quashed.

(R.BASANT, JUDGE)

rtr/-